

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DELBERT M. GREENE,

Plaintiff,

v.

DWIGHT NEVEN, et al.,

Defendants.

3:07-cv-00474-LRH (VPC)

ORDER

The Court has considered the Report and Recommendation of United States Magistrate Judge Valerie P. Cooke (#89¹) entered on January 12, 2011, in which the Magistrate Judge recommends that the Plaintiff's Motion for Leave to File the Third Amended Complaint (#88) be granted. The Court has considered the pleadings and memoranda of the parties and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

ADOPTS AND ACCEPTS the Report and Recommendation of the United States Magistrate Judge (#89); therefore, Plaintiff's Motion for Leave to File the Third Amended Complaint (#88) is GRANTED. The Clerk shall DETACH and FILE the third amended complaint attached to the motion at (#88-1).

¹ Refers to the court's docket numbers.

1 IT IS FURTHER ORDERED that Plaintiff's claim for retaliation against defendant Jackson be
2 DISMISSED WITH PREJUDICE.

3 IT IS FURTHER ORDERED that Plaintiff's claim for conspiracy against defendants Bean,
4 Jackson, and Walker be DISMISSED WITH PREJUDICE.

5 IT IS FURTHER ORDERED that Plaintiff's remaining claims be permitted to advance.

6 IT IS SO ORDERED.

7 DATED this 5th day of February, 2011..

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11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
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